

5) -S(O)<sub>m</sub>-;

with the proviso that R<sup>6</sup>/R<sup>7</sup> is not oxo when attached to the carbon between N and B, and with the further proviso that when B and Z are each C, R<sup>2</sup>, R<sup>3</sup>, R<sup>6</sup>, and R<sup>7</sup> are each H, then R<sup>1</sup> is other than phenyl, 4-methylphenyl, naphthyl and 5-(NR<sup>d</sup>Re)naphthyl. --

CANCEL claims 1-5 and 18-19.

AMEND the following claims:

- Claims 6-11, first line of each: change the dependency from "Claim 5" to --Claim 21--.
- Claims 13 and 15, first and last lines of each: change the dependency from "Claim 5" to --Claim 21--.

### REMARKS

#### Status of the Claims:

|   |                 |
|---|-----------------|
| Claims pending after present amendment: | 6-17, 21        |
| Allowed claim(s):                       | -               |
| New claim(s):                           | 21              |
| Canceled claims:                        |                 |
| present amendment:                      | 1-5, 18-19      |
| earlier amendment(s):                   |                 |
| Amended claim(s):                       | 6-11, 13 and 15 |

The above-noted cancellation and amendment of claims are made without prejudice, and Applicants reserve the right to pursue all canceled subject matter in a future divisional application.

Claim 5 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner states that claim 5 is dependent on non-elected claim. Claim 5 has been canceled and rewritten in independent form as new claim 21. Accordingly, the rejection is moot and should be withdrawn.

Claims 5-12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Voigt et al. The proviso clause in Claim 21 now includes naphthyl as one of the excluded R<sup>1</sup> groups when B and Z are each C, and R<sup>2</sup>, R<sup>3</sup>, R<sup>6</sup>, and R<sup>7</sup> are each H. Consequently, the §102 rejection is now moot, and its withdrawal is respectfully requested.

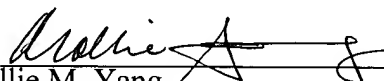
Claim 20 stands rejected under 35 U.S.C. §103 as allegedly being unpatentable over Voigt. Applicants respectfully traverse.

In Voigt, the various 4-cyanophenylalanines (see e.g., compounds 3, 4, 5-12) are intermediates in the synthesis of thrombin inhibitor compounds. There is no suggestion in Voigt at all that these chemical intermediates could have therapeutic utility, or that they may be formulated into pharmaceutical dosage forms for use in humans and animals. Applicants respectfully submit that the Examiner has not made out a case of prima facie obviousness, and respectfully request that the 103 rejection be withdrawn.

Applicants note that the Examiner has indicated on the Office Action Summary that claims 13-17 are objected to; however, no objections were stated in the text of the official action.

In view of the above amendment and remarks, Applicants believe that the application is now in condition for allowance. An early favorable action is respectfully requested.

Respectfully submitted,

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